



IAP12 Rec'd PCT/PTO 30 APR 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Michiel GUINET et al

Art Unit:

Application No.: 10/585,297

Conf. No. 9728

Examiner:

I.A. Filing Date: December 23, 2004

Washington, D.C.

For: ELECTRIC HOUSEHOLD FOOD PREPARATION APPLIANCE...

Atty.'s Docket: GUINET=1

Date: April 30, 2007

THE COMMISSIONER OF PATENTS
2011 South Clark Place, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Transmitted herewith is a Reply to Notification of Missing Requirements; Supplemental ADS and Preliminary Amendment in the above-identified application.☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.☒ No additional fee is required.☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 13	MINUS	** 20	0
INDEP.	* 1	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	
\$	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

☐ First - \$ 60.00
☐ Second - \$ 225.00
☐ Third - \$ 510.00
☐ Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

☐ First - \$ 120.00
☐ Second - \$ 450.00
☐ Third - \$ 1020.00
☐ Fourth - \$ 1590.00

Month After Time Period Set

☐ Less fees (\$) already paid for ___ month(s) extension of time on _____.☐ Please charge my Deposit Account No. 02-4035 in the amount of \$_____.☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.☐ A check in the amount of \$_____ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

By: 
Jay M. Finkelstein
Registration No. 21,082



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 9728
)	
Michel GUINET et al)	ATTN: PCT BRANCH
)	
I.A. Filing Date: 12/23/2004)	Examiner:
371(c) Date:)	
)	April 30, 2007
U.S. Appln. No.: 10/585,297)	
)	ATTY.'S DOCKET: GUINET=1
For: ELECTRIC HOUSEHOLD FOOD)	
PREPARATION APPLICANCE...)	

REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

We are in receipt of a Notification of Missing Requirements, dated April 4, 2007, copy attached. In that notification, receipt of a declaration filed at the time of entry into the National Phase is acknowledged.

However, the notification presents a requirement for a new declaration and a surcharge of \$130.

The reason stated in the notification for requiring a new declaration is that the second inventor's name is spelled differently on the declaration than in the IA. This statement is correct:

In the I.A., the second inventors last name is spelled: HERRADA;

In the declaration that was filed at the time of entry into the U.S. National Phase, the second inventors' last name was spelled: HERADA.

Obviously, both documents identified the same inventor, i.e. the name as spelled on the inventors' declaration does not indicate any change of inventorship.

Rather, this is a clear case of a typographical error. Indeed, if this is not a case of a typographical error, then there is no such thing as a typographical error.

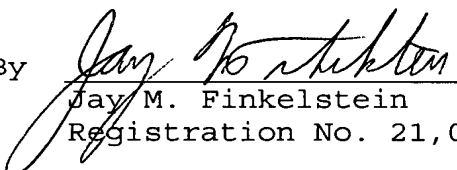
When an inventor's name is misspelled simply as a result of a typographical error, the only requirement is that the Office be simply notified of the error. MPEP 1893.01(e)-: CORRECTION OF INVENTORSHIP. This paper is considered to be such notification. Accordingly, it is requested that the requirements for a new declaration and the requirements for payment of a late submission fee be withdrawn and that the application be processed for examination.

However, if it is considered that these requirements should not be withdrawn, then, to avoid abandonment of the application, authorization is given to charge the surcharge to our deposit account number 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By


Jay M. Finkelstein
Registration No. 21,082

JMF:kg

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Sub.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/585,297	FIRST NAMED APPLICANT Michel Guinet	ATTY. DOCKET NO. GUINET 1
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INTERNATIONAL APPLICATION NO.

PCT/FR04/03372

I.A. FILING DATE 12/23/2004	PRIORITY DATE 01/06/2004
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1444

BROWDY AND NEIMARK, P.L.L.C.
 624 NINTH STREET, NW
 SUITE 300
 WASHINGTON, DC 20001-5303

CONFIRMATION NO. 9728

371 FORMALITIES LETTER



OC000000023231761

Date Mailed: 04/04/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/06/2006
- English Translation of the IA filed on 07/06/2006
- Copy of the International Search Report filed on 07/06/2006
- Information Disclosure Statements filed on 07/06/2006
- Oath or Declaration filed on 07/06/2006
- Request for Immediate Examination filed on 07/06/2006
- U.S. Basic National Fees filed on 07/06/2006
- Priority Documents filed on 07/06/2006

MSP/PRE. AND: 04 JE 2007

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The 2nd inventor's name is spelled differently on the declaration than on the IA. Please clarify.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/585,297	PCT/FR04/03372	GUINET 1

FORM PCT/DO/EO/905 (371 Formalities Notice)